

EXHIBIT 12

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF NEW JERSEY

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4) IN RE JOHNSON & JOHNSON)
5) TALCUM POWDER PRODUCTS) MDL NO.
6) MARKETING, SALES PRACTICES,) 16-2738(FLW)(LHG)
7) AND PRODUCTS LIABILITY)
8) LITIGATION)
9) -----

10 IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS
11 STATE OF MISSOURI

12 VALERIE SWANN,)
13))
14 Plaintiff,)
15) Cause No.
16 v.) 1422-CC09326-03
17))
18 JOHNSON & JOHNSON, et al.,)
19))
20 Defendants.)
21) -----

22 Monday, September 13, 2021
23 -----

24 Oral Deposition of JUDITH WOLF, M.D.,
25 held at the Fairmont Hotel, 101 Red River
Street, Austin, Texas, commencing at
9:03 a.m. CDT, on the above date, before
Michael E. Miller, Fellow of the Academy of
Professional Reporters, Certified Court
Reporter, Registered Diplomate Reporter,
Certified Realtime Reporter and Notary
Public.

26 -----
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1 A. Well, that would be a risk
2 factor that would be associated with chronic
3 pelvic inflammatory disease, and that's not
4 new.

5 Q. So it's been well known that
6 chlamydia -- a history of chlamydia is a risk
7 factor for ovarian cancer?

8 A. Specifically chlamydia, I'm not
9 sure when that was first published, but I
10 lump chlamydia in chronic pelvic infections,
11 which I believe is what that is associated
12 with.

13 Q. All right.

14 A. And that is not new.

15 Q. The bottom line is: When you
16 do your analysis, do your methodology, you do
17 not consider potential unknown causes or risk
18 factors for ovarian cancer, correct?

19 DR. THOMPSON: Object to form.

20 BY MR. ZELLERS:

21 Q. You deal with known,
22 established risk factors?

23 DR. THOMPSON: Object to form.

24 A. Certainly there can always be
25 unknown as yet hypothetical things that at

1 sometime in the future could be associated
2 with an increased risk of ovarian cancer or
3 some other type of cancer, but --

4 BY MR. ZELLERS:

5 Q. That's not part of your
6 analysis?

7 MS. GARBER: Object to the
8 form.

9 DR. THOMPSON: She wasn't
10 finished with her answer, I don't
11 think.

12 A. And I would -- I don't know how
13 that can be part of my analysis to -- that
14 because it's unknown. I'm not sure what
15 you're asking -- what you're trying to ask
16 me.

17 BY MR. ZELLERS:

18 Q. Is it your opinion that the
19 route of talcum powder exposure in
20 Ms. Gallardo's case was through migration?

21 A. Yes.

22 Q. Do you believe that
23 Ms. Gallardo's ovarian cancer was caused from
24 talcum powder traveling to her ovaries
25 through inhalation?

1 Ms. Gallardo -- that her endometrioid ovarian
2 cancer was caused by asbestos, correct?

3 DR. THOMPSON: Object to form.

4 MS. GARBER: Object to the
5 form.

6 A. So my opinion is that her -- a
7 cause of her cancer was her talc use, and if
8 there was evidence of asbestos in the -- in
9 her tissues, I would assume it came from her
10 talc use.

11 But the product as a whole,
12 which has been found in some cases to contain
13 asbestos and talc fibers and platy talc and
14 heavy metals, it's the combination of all of
15 those that I believe -- it's my opinion that
16 causes ovarian cancer and is the cause of
17 Ms. Gallardo's ovarian cancer.

18 BY MR. ZELLERS:

19 Q. Dr. Godleski did not find any
20 evidence of asbestos in Ms. Gallardo's
21 tissue, at least based upon your review of
22 his report, correct?

23 DR. THOMPSON: Object to form.

24 MS. GARBER: Object to the
25 form, misstates the document entirely.

1 DR. THOMPSON: Object to form.

2 A. An adequate -- I think any
3 exposure to asbestos is not a good thing, and
4 so I don't know what an adequate amount would
5 be because I don't think any amount is
6 considered good.

7 BY MR. ZELLERS:

8 Q. Well, I misspoke.

9 A. Okay.

10 Q. I'll withdraw the question.

11 A. Okay.

12 Q. You, I think we've already
13 established, have not looked into whether or
14 not Ms. Gallardo had any independent exposure
15 to asbestos.

16 A. Short of her Deposition --

17 DR. THOMPSON: Object to form.

18 A. -- where she was asked about
19 her jobs and where she lived and was there
20 construction and all of those things, and her
21 answer to all of those were no.

22 BY MR. ZELLERS:

23 Q. Do you have an opinion as to
24 whether or not Ms. Gallardo's endometrioid
25 cancer was caused by heavy metals?

1 DR. THOMPSON: Object to form.

2 A. It was caused by her use of --
3 the cause of her cancer was her use of talcum
4 powder, which can sometimes contain heavy
5 metals, which are carcinogenic. It's the
6 product as a whole that contains all of the
7 things that I opined about a little while ago
8 that caused -- was a cause of her cancer.

9 BY MR. ZELLERS:

10 Q. What study or evidence do you
11 have that heavy metals in talcum powder
12 caused Ms. Gallardo's endometrioid cancer?

13 MS. GARBER: Misstates her
14 testimony.

15 A. The evidence -- that is not
16 what I said. What I said is that talcum
17 powder, specifically Johnson's Baby Powder,
18 has been found to have evidence of heavy
19 metals, asbestos fibers, talc fibers, platy
20 talc, and the heavy metals that have been
21 found, chromium and nickel, are class 1
22 carcinogens.

23 We've already talked about
24 asbestos being a class 1 carcinogen. We've
25 already talked about talc fibers being a

1 class 1 carcinogen. And it's the combination
2 of that, the use of that talcum powder that
3 caused her cancer.

4 BY MR. ZELLERS:

5 Q. What is your evidence of that?

6 DR. THOMPSON: Object.

7 BY MR. ZELLERS:

8 Q. I understand your opinion with
9 respect to talc.

10 A. That's what she used. That's
11 what she used and that's what has been found
12 in talcum powder.

13 Q. What evidence do you have that
14 any heavy metal contained in Johnson's Baby
15 Powder causes endometrioid ovarian cancer?

16 DR. THOMPSON: Object to form.

17 A. I don't know that there's any
18 evidence, but I don't know that anybody's
19 ever studied specifically those heavy metals,
20 chromium, nickel, cobalt, which can be
21 carcinogenic, cause ovarian cancer
22 specifically. They're carcinogenic.

23 BY MR. ZELLERS:

24 Q. Your opinion is that it's talc,
25 whatever the talc --

1 A. It's the product.

2 Q. -- the product contains, that
3 caused Ms. Gallardo's endometrioid ovarian
4 cancer, correct?

5 A. It's a cause of her cancer.

6 Q. You're not trying to separate
7 out the constituent parts of the talc to say
8 that part of the talc is the cause of the
9 endometrioid ovarian cancer?

10 A. I'm not. I'm saying what's in
11 the product, what has been found in the
12 product, there are multiple things that are
13 carcinogens.

14 Q. You are not going to come to
15 trial and say it was asbestos contamination
16 in some bottles she used that cause ovarian
17 cancer; fair?

18 DR. THOMPSON: Object.

19 BY MR. ZELLERS:

20 Q. You're going to say it was the
21 use of the product with whatever constituent
22 parts it contained?

23 DR. THOMPSON: Object to form.

24 MS. GARBER: Object to the
25 form.

1 A. It's the use of the product,
2 and in evaluating her tissues, there was
3 evidence of talc fibers and asbestos fibers.

4 BY MR. ZELLERS:

5 Q. Are you aware of whether or not
6 any bottle of Johnson's Baby Powder that
7 Ms. Gallardo claims to have used was ever
8 tested for any potential contaminants?

9 A. Since the last time she opined
10 that she used it was in 1988, unless she
11 keeps a lot of things around for a long time,
12 I would -- I would be amazed if it was.

13 Q. You're not one of
14 Ms. Gallardo's treating physicians; is that
15 right?

16 A. I am not.

17 Q. You're not involved in her
18 diagnosis or treatment with respect to
19 ovarian cancer, correct?

20 A. I am not.

21 Q. You've never met Ms. Gallardo;
22 is that right?

23 A. I have not.

24 Q. Have you ever spoken with her
25 husband?